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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13
14 MARY H. JOSEPH, JOHN AND KRISTINE
CORONEL, on behalf of themselves and all
15 others similarly situated,
Plaintiffs,

16 v.

17 BANK OF AMERICA CORPORATION,
18 N.A., a foreign corporation, BANK OF
AMERICA CORPORATION, N.A., FKA
19 COUNTRYWIDE FINANCIAL, a foreign
corporation, ANGELO MOZILO, an
20 individual, KENNETH D. LEWIS, an
individual, and DOES, 1-10,
21 Defendants.

Case No. 5:10-CV-02152-LHK

**~~PROPOSED~~ ORDER APPROVING
STIPULATION REGARDING
PLAINTIFFS' FILING OF MOTION FOR
LEAVE TO AMEND COMPLAINT AND
JOINT REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Courtroom: 4, 5th Floor
Judge: Hon. Lucy H. Koh

Filed/Submitted Herewith:

1. **~~Proposed~~** Order

~~PROPOSED~~ ORDER

Upon consideration of the Stipulation Regarding Plaintiffs' Filing of Motion for Leave to Amend Complaint and Joint Request to Continue Case Management Conference submitted by Plaintiffs Mary H. Joseph ("Joseph") and John and Kristine Coronel (the "Coronels") (collectively, "Plaintiffs"), and defendants named as "Bank of America Corporation, N.A., a foreign corporation," "Bank of America Corporation, N.A., FKA Countrywide Financial, a foreign corporation" and "Bank of America Corporation, N.A., FKA Countrywide Home Loans" and Angelo Mozilo ("Mozilo") (collectively, "Defendants"), and for good cause having been shown, IT IS HEREBY ORDERED THAT:

(1) Plaintiffs shall file and serve the Motion to Amend the Complaint by December 3, 2010;

(2) Defendants are not obligated to answer or otherwise plead in respond to the first amended complaint filed by Plaintiffs on October 22, 2010;

(3) the November 12, 2010 hearings on Defendants' Motions to Dismiss are vacated; and

(4) the November 12, 2010 CMC is continued to the same date as the hearing on Plaintiffs' Motion to Amend or such other future date as may be available to the Court.

Defendants' Opposition, if any, to Plaintiffs' Motion to Amend the Complaint is due by December 16, 2010. Plaintiffs' Reply, if any, is due by December 23, 2010.

The hearing on Plaintiffs' Motion to Amend the Complaint is set for February 10, 2010 at 1:30 p.m., with a Case Management Conference to follow the hearing.

Dated: November 5, 2010


LUCY H. KOH
United States District Judge